

**UNITED STATES DISTRICT COURT**

**for**

**EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION**

**U.S.A. vs. Britney Nicole Maness**

**Docket No. 7:13-CR-88-1H**

**Petition for Action on Supervised Release**

COMES NOW Pamela O. Thornton, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Britney Nicole Maness, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possession with the Intent to Distribute 50 Grams or More of Methamphetamine, in violation of 21 U.S.C. § 846, §841(a)(1) and (b)(1)(B) and Conspiracy to Manufacture a Quantity of Methamphetamine in violation of 21 U.S.C. §846, §841(a) and (b)(1)(c), was sentenced by the Honorable Leon Jordan, U.S. District Judge, Eastern District of Tennessee, on March 11, 2009, to the custody of the Bureau of Prisons for a term of 63 months, in each count to be served concurrently. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 48 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate in a program of testing and/or treatment for drug and/or alcohol abuse, as directed by the probation officer, until such time as she is released from the program by the probation officer.
2. The defendant shall obtain a General Educational Development Degree.
3. The defendant shall participate in a program of mental health treatment, as directed by the probation officer, until such time as she is released from the program by the probation officer. The defendant shall waive all rights to confidentiality regarding mental health treatment in order to allow the release of information to the supervising United States Probation Officer and to authorize open communication between the probation officer and the mental health treatment provider.

Britney Nicole Maness was released from custody on October 3, 2012, at which time the term of supervised release commenced.

On April 6, 2013, the releasee was charged with Driving While Impaired in New Hanover County, Wilmington, N.C. The violation behavior was reported to the Eastern District of Tennessee with a request for modification of conditions. Tennessee requested that we accept a Transfer of Jurisdiction so that all violations could be handled in the District in which the releasee resides. Jurisdiction was transferred from the Eastern District of Tennessee to the Eastern District of North Carolina on August 13, 2013. The Driving While Impaired charge is still pending in New Hanover County District Court.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR  
CAUSE AS FOLLOWS:**

On January 16, 2014, the releasee was stopped by the North Carolina Highway Patrol and charged with Driving While Impaired and Driving With a Revoked License, Case 14CR50363 and Failing to Maintain Lane Control and Possessing an Open Container of Alcohol in a Motor Vehicle, Citation No. 14IF700518. The releasee submitted to a Breathalyzer which revealed a breath alcohol content reading of .10. All charges are pending disposition for March 24, 2014 in New Hanover County District Court, Wilmington, N.C.

The releasee called her probation officer and reported the charges the night of her arrest. She admitted to driving the vehicle after consuming alcohol. She stated that she did not realize she was intoxicated. Her vehicle was repossessed by the dealer; therefore, she has no vehicle available to her at this time.

The releasee was admonished for her behavior and openly admitted to having problems with alcohol. She has been referred back to both mental health and substance abuse treatment and has agreed to stop all alcohol consumption. Although, the releasee's behavior is non-acceptable, this officer believes the releasee has made some progress since her release from the Bureau of Prisons in October 2012. She has maintained employment and all urine screens have been negative. It is recommended the court allow the releasee to continue on supervision and modify her conditions to include more intensive conditions to monitor her compliance. Any future violations will result in a petition for a revocation hearing.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall abstain from the use of any alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.
2. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 120 consecutive days. The defendant shall be restricted to residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other

activities as approved by the probation officer. The defendant shall wear an electronic monitoring device and follow electronic monitoring procedures specified by the probation officer.

3. The defendant shall participate in a cognitive behavioral program as directed by the probation office.
4. The defendant shall abide by all terms and conditions of the Remote Alcohol Monitoring Program, as directed by the probation officer, for a period not to exceed 120 consecutive days. The defendant shall comply with the program procedures.

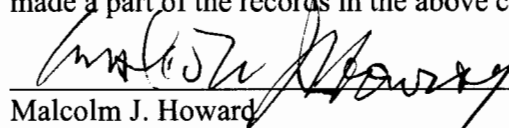
Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Pamela O. Thornton  
Pamela O. Thornton  
Senior U.S. Probation Officer  
2 Princess Street, Suite 308  
Wilmington, NC 28401-3958  
Phone: 910-815-4857  
Executed On: February 13, 2014

**ORDER OF COURT**

Considered and ordered this 14<sup>th</sup> day of Feb, 2014, and ordered filed and made a part of the records in the above case.

  
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Malcolm J. Howard  
Senior U.S. District Judge